IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2372 of 2007

STATE OF RAJ.
V/S
M/S.JORAWAR SINGH LODHA & ORS.

Mr. OP BOOB,AGA, for the appellant / petitioner

Date of Order : 17.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

By the impugned order Annexure 8 dated 17.12.2004, the learned trial court directed the present petitioner to refer the dispute for arbitration. The order was passed, as noticed above, on 17.12.2004, and the writ petition is filed on 30.09.05, then up to when the matter was remained in defective side at least up to January 2007, during this long passage of time, the arbitration proceedings must have proceeded ahead and in view of the judgment of Constitutional Bench of Hon'ble the Supreme Court in S.B.P.& Company vs. Patel Engineering reported in 2005(8) SCC -618 wherein it was held that once the matter reaches the arbitral tribunal or the sole arbitrator, the High Court would not interfere during the course of arbitration proceedings, and the parties could approach the Court only in terms of Section 37 or 34 of the Act. In that view of the matter, no interference is required to be made in writ jurisdiction. The writ petition, therefore, is dismissed summarily.

(N P GUPTA),J.

/ANil/